

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTOPHER A. JONES,

Plaintiff,

v.

HOWARD SKOLNIK, *et al.*,

Defendants.

3:10-cv-00162-LRH-VPC

MINUTES OF THE COURT

December 8, 2014

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff's motion to shorten to twenty-three days the time in which defendants Yaqub Mustafaa and Taerik Berry may respond to discovery requests (#375). Defendants oppose (#380). Per the court's prior order (#350 at 2), all discovery against these defendants shall conclude within sixty days.

"A scheduling order is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded . . . without peril. The district court's decision to honor the terms of its *binding* scheduling order does not simply exalt procedural technicalities over the merits of [the] case. Disregard of the order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent and the cavalier." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992) (emphasis added, internal citation and quotation omitted). Federal Rule 16 allows the court to enter a scheduling order. Fed. R. Civ. P. 16. Rule 16 "grants broad discretion in supervising the pretrial phase of litigation . . ." *Zikovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002). "In general, the pretrial scheduling order can only be modified 'upon a good cause.'" *Id.*

Plaintiff's motion is **DENIED**. The court concludes that plaintiff's reason for shortening defendants' time to respond—namely, the mere *possibility* that defendants' responses may be inadequate or evasive (*see* #375 at 1)—does not constitute good cause. If defendants' discovery

conduct is insufficient or contrary to applicable discovery rules, the court will address any issues on a case-by-case basis, as identified in properly filed motions that follow the meet-and-confer process required by the Federal Rules of Civil Procedure and this District's Local Rules.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk